

JANET T. MILLS GOVERNOR STATE OF MAINE DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS 8 STATE HOUSE STATION AUGUSTA, MAINE 04333-0008

KIRSTEN LC FIGUEROA COMMISSIONER

GREGORY R. MINEO DIRECTOR

February 4, 2021

To: Senator Cathy Breen, Chair Representative Teresa Pierce, Chair Members of the Joint Standing Committee on Appropriations and Financial Affairs

Senator Louis Luchini, Chair Representative Chris Caiazzo, Chair Members of the Joint Standing Committee on Veterans and Legal Affairs

From: Gregory R. Mineo, Director, Bureau of Alcoholic Beverages and Lottery Operations

Cc: Kirsten LC Figueroa, Commissioner, Department of Administrative and Financial Services

Re: Bureau of Alcoholic Beverages and Lottery Operations 2020 Reports

As required by 8 M.R.S. §371 - 389 and 28-A M.R.S. §81 - 90, please find attached the response from the Bureau of Alcoholic Beverages and Lottery Operations. This includes calendar year 2020 reports pertaining to the liquor and lottery businesses.

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Gregory R. Mineo, Director Bureau of Alcoholic Beverages and Lottery Operations

State of Maine



Department of Administrative and Financial Services

Annual Report of the Bureau of Alcoholic Beverages and Lottery Operations

As required by 8 M.R.S. §371 - 389 and 28-A M.R.S. §81 - 90

February 4, 2021

Kirsten LC Figueroa, Commissioner Gregory R. Mineo, Director Section 1.A. 28-A M.R.S. §84, sub-§7, ¶A, the following is a complete statement of the revenues and expenses for the Bureau for calendar year 2020:

Bureau Revenue

	Lottery Ticket Sales	\$ 343,301,429
	Lottery Miscellaneous Revenue	4,929,117
	Spirits Sales	225,661,215
	Licensing and Enforcement Revenue	21,608,443
	Total Bureau Revenue	\$ 595,500,204
Bureau Expenses		
	Lottery Expenses	\$ 280,762,849
	Spirits Expenses	164,783,582
	Licensing and Enforcement Expenses	1,157,339
	Total Bureau Expenses	\$ 446,703,769
Bureau Profit		
	Lottery Profit ¹	\$ 67,467,698
	Spirits Profit ²	60,877,633
	Licensing and Enforcement Profit ³	20,451,104
	Total Bureau Profit Generated	<u>\$ 148,796,436</u>

Section 1.B. Change recommendations:

- 28-A M.R.S. §84, sub-§7, any recommendations for changes to this Title:
 - The Bureau recommends this annual report be submitted using fiscal year data rather than calendar year in keeping with other state accounting practices.
 - The Bureau recommends the requirements of 8 M.R.S. §372, sub-§2, ¶K, sub-¶(5) and 8 M.R.S. §372, sub-§2, ¶K, sub-¶(6) be combined. The requirements are reflected in sections 6 and 7 of this report.
- 8 M.R.S. §372, sub-§2, ¶K, sub-¶(7): Any recommendations for changes to this chapter:
 - The Bureau recommends this annual report be submitted using fiscal year data rather than calendar year in keeping with other state accounting practices.

¹ Lottery Profit represents the amount transferred to the General and Outdoor Heritage Funds.

² Spirits Profit represents the amount transferred to the Maine Municipal Bond Bank for the Liquor Revenue Bonds.

³ Licensing and Enforcement Profit represents the amount deposited directly into the General Fund.

Lottery Operations

Section 2. 8 M.R.S. $\S372$, sub- $\S2$, $\P K$, sub- $\P(1)$: A list of the decisions made by the commission and resulting actions for the preceding calendar year relevant to lottery operations.

January 14, 2020:

• Commissioner Davis made a motion to accept the new instant games as presented. Commissioner Fitzgerald seconded and the motion passed unanimously. Approved games are as follows:

Lucky 777	\$ 2.00
\$50 or \$100	\$10.00
25X	\$10.00

February 11, 2020:

• Director Mineo reviewed the 2019 Annual Report (Lottery portion) to be approved by the commission.

Commissioner Fitzgerald suggested the Bureau recommendations be listed on its own page.

• Commissioner Davis made a motion to accept the new instant games as presented. Commissioner Fitzgerald seconded and the motion passed unanimously. Approved games are as follows:

333	\$ 1.00
Baseball	\$ 1.00
Joker's Wild	\$ 2.00
Quick Cash	\$ 2.00
Crossword Multiplier	\$ 5.00

March 10, 2020:

• There were no new games presented for approval, and no items requiring Commission vote or decision.

April 14, 2020:

• Commissioner Fitzgerald made a motion to accept the new instant games as presented. Commissioner Sheehan seconded and the motion passed unanimously. The approved games are as follows:

Double Dollars	\$ 2.00
Outdoor Heritage Wild Winnings	\$ 3.00

May 12, 2020:

• Commissioner Fitzgerald made a motion to accept the new instant games as presented. Commissioner Sheehan seconded and the motion passed unanimously. Approved games are as follows:

Loose Change	\$ 1.00
Lucky Corners	\$ 2.00
Aces and 8's	\$ 5.00
Keys N Cash	\$ 5.00
\$50 or \$100	\$10.00

June 16, 2020:

• There were no new games presented for approval, and no items requiring Commission vote or decision.

July 14, 2020:

• Commissioner Davis made a motion to accept the new instant games as presented. Commissioner Fitzgerald seconded and the motion passed unanimously. Approved games are as follows:

2 for \$1	\$ 1.00
Path to Riches	\$ 3.00
Lady Luck	\$ 5.00
\$250,000 Spectacular	\$10.00

August 11, 2020:

• Commissioner Davis made a motion to accept the new instant games as presented. Commissioner Sheehan seconded and the motion passed unanimously. Approved games are as follows:

September 8, 2020:

• Commissioner Davis made a motion to accept the new instant games as presented. Commissioner Sheehan seconded and the motion passed unanimously. Approved games are as follows:

\$ 1.00
\$ 2.00
\$ 2.00
\$ 5.00
\$10.00
\$10.00
\$20.00

October 13, 2020:

• Commissioner Davis made a motion to accept the new instant game as presented. Commissioner Sheehan seconded and the motion passed unanimously. Approved game below:

Lucky Win	\$ 1.00
Hard Rock	\$ 2.00
Maine Crossword	\$ 3.00
Wild Winners	\$ 3.00
Cash \$500's	\$ 3.00
\$50 or \$100	\$10.00
25X The Cash	\$10.00

November 10, 2020:

• Commissioner Davis made a motion to accept the new games as presented. Commissioner Sheehan seconded and the motion passed unanimously. Approved games are as follows:

December 8, 2020:

• Commissioner Sheehan made a motion to accept the new game as presented. Commissioner Davis seconded and the motion passed unanimously. Approved game below:

Ca\$h Dash	\$ 1.00
Poker Night	\$ 5.00
Bonus Bucks	\$ 5.00
10X Crossword	\$ 5.00

Section 3. 8 M.R.S. 372, sub-2, K, sub-(2): A complete statement of lottery revenues, prize disbursements and expenses and appropriations from the General Fund, if any, for the preceding calendar year.

Summary Table for calendar year 2020:

Revenue		
	Ticket Sales	\$ 343,301,429
	Miscellaneous Revenue	4,929,117
	Total Revenue	\$ 348,230,547
Expenses		
	Personnel	\$ 1,812,924
	Operating	2,555,380
	Agent Commissions/Bonuses	24,540,286
	Vendor Fees	12,089,089
	Tri-State	2,790,611
	Prizes	236,974,559
	Total Expenses	<u>\$ 280,762,849</u>
Profit		
	Total Profit	<u>\$ 67,467,698</u>
Profit Dist	ribution	
	General Fund Transfer	\$ 66,906,126
	Heritage Transfer	\$ 561,572

No General Fund appropriation is provided to the Bureau for the operation of the Maine Lottery.

Section 4. 8 M.R.S. 372, sub-2, K, sub-(3): A 5-year history of the account used to manage lottery operations, which must include the amount of revenues deposited into the State Lottery Fund and the amounts transferred to the General Fund:

Summary Table for Calendar Years 2016 through 2020:

	2016	2017	2018	2019	2020
Revenue					
Ticket Sales	\$ 276,385,732	\$ 275,954,296	\$ 298,648,087	\$ 299,433,229	\$ 343,301,429
Miscellaneous Revenue	4,753,934	4,044,667	5,080,368	4,898,386	4,929,117
Total Revenue	\$ 281,139,665	\$ 279,998,962	\$ 303,728,455	\$ 304,331,615	\$ 348,230,547
Expenses					
Personnel	\$ 1,579,005	\$ 1,547,421	\$ 1,690,621	\$ 1,762,785	\$ 1,812,924
Operating	3,440,825	2,802,986	2,864,496	4,110,946	2,555,380
Agent Commissions/Bonuses	22,109,435	18,383,141	21,420,743	20,961,016	24,540,286
Vendor Fees	9,731,576	9,716,375	10,516,032	10,543,111	12,089,089
Tri-State	2,740,265	3,077,464	3,503,742	2,989,490	2,790,611
Prizes	182,687,943	182,233,804	199,910,266	202,625,013	236,974,559
Total Expenses	\$ 222,289,049	<u>\$ 217,761,192</u>	<u>\$ 239,905,899</u>	\$ 242,992,361	<u>\$ 280,762,849</u>
Profit					
Total Profit	<u>\$ 58,850,616</u>	<u>\$ 62,237,770</u>	\$ 63,822,556	<u>\$ 61,339,254</u>	<u>\$ 67,467,698</u>
Profit Distribution					
General Fund Transfer	\$ 58,428,164	\$ 61,544,080	\$ 63,235,463	\$ 60,803,422	\$ 66,906,126
Heritage Transfer	\$ 422,453	\$ 693,690	\$ 587,093	\$ 535,832	\$ 561,572

Section 5. 8 M.R.S. §372, sub-§2, ¶K, sub-¶(4):

Expenditures made to promote lottery sales through marketing, advertising and recruitment of agents for the preceding calendar year (2019):

Total spending by category (includes net media and production costs)

Television	\$805,154.83
Radio	\$688,916.70
Digital	\$160,000.00
POS/Collateral	\$52,068.76
Sales Promotion/Promotional Items	\$40,458.20
Sponsorships & Other	\$15,676.63

Section 6. 8 M.R.S. §372, sub-§2, ¶K, sub-¶(5): A description of Lottery marketing and advertising activities for the preceding calendar year (2019). The description must identify each radio station and television station, if any, that broadcast or distributed advertising.

Marketing and advertising activity promoting the Maine Lottery during calendar 2019 included statewide Broadcast (Television and Radio), Digital, Point of Sale (POS), Sales Promotion/Promotional Items, and Sponsorships. Advertising schedules were executed to generate visibility across Maine for promoting selected instant games, draw games and Fast Play games.

Market	Station
Bangor	5704 SPECTRUM, Bangor, ME-Cable
Bangor	WABI-TV
Bangor	WFVX-TV
Bangor	WLBZ-TV
Bangor	WVII-TV
Portland, ME	0181 SPECTRUM, Portland, ME - OTT/Streaming
Portland, ME	7646 SPECTRUM, Portland-Auburn IC, M-Cable
Portland, ME	8448 NEW ENGLAND SPORTS NETWORK, NESN/Portland, ME-Cable
Portland, ME	NESN-TV
Portland, ME	WCSH-TV
Portland, ME	WGME-TV
Portland, ME	WMTW-TV
Portland, ME	WPFO-TV
Presque Isle	WAGM-TV
Presque Isle	2477 SPECTRUM, Presque Isle, ME-Cable

Television stations utilized:

Radio stations utilized:

Market	Station	
Augusta-Waterville, ME	WEBB-FM	
Augusta-Waterville, ME	WFMX-FM	
Augusta-Waterville, ME	WMME-FM	
Augusta-Waterville, ME	WTOS-FM	
Augusta-Waterville, ME	WABK-FM	
Augusta-Waterville, ME	WCTB-FM	
Bangor	WBFB-FM	
Bangor	WBZN-FM	
Bangor	WHOU-FM	
Bangor	WKIT-FM	
Bangor	WKSQ-FM	
Bangor	WNSX-FM	

Bangor	WQCB-FM
Bangor	WVOM-FM
Bangor	WWMJ-FM
Bangor	WEZQ-FM
Calais, ME (u)	WCRQ-FM
Calais, ME (u)	WQDY-FM
Farmington, ME (u)	WKTJ-FM
Portland, ME	WBLM-FM
Portland, ME	WBQX-FM
Portland, ME	WCLZ-FM
Portland, ME	WCYY-FM
Portland, ME	WFNK-FM
Portland, ME	WHOM-FM
Portland, ME	WHTP-FM
Portland, ME	WJBQ-FM
Portland, ME	WJJB-FM
Portland, ME	WMGX-FM
Portland, ME	WPEI-FM
Portland, ME	WPOR-FM
Portland, ME	WTHT-FM
Portland, ME	WYNZ-FM
Portland, ME	WHXR-FM
Presque Isle (u)	WBPW-FM
Presque Isle (u)	WCXU-FM
Presque Isle (u)	WOZI-FM
Presque Isle (u)	WQHR-FM

Digital networks or channels utilized:

Site	
AdTheorent	:
Katz Digital Group	
Q1 Media	
Undertone	
WMTW	

Section 7. 8 M.R.S. 372, sub-2, K, sub-(6): For each radio station and television station identified pursuant to subparagraph (5), the format of advertising activity and amount of expenditures for the preceding calendar year (2019) associated with each station.

The format of Maine Lottery advertising on television is a mix of 30-second spots and 15-second spots equally across all stations, according to campaign messaging. On radio, the Maine Lottery uses exclusively 30-second spots across all stations.

For Digital advertising, the Maine Lottery uses a variety of formats according to each digital buy. Typical formats include animated banners such as 728x90, 250x300, and 250x600. Rich media formats are sometimes used allowing the Maine Lottery to take advantage of the newest capabilities of the medium. These have included expandable ads, video pre-roll and other rich media formats.

Point of Sale is most often executed as 11x17 posters, 8.5 x 11 mini-posters, 8x10 counter cards, with occasional window clings and other formats.

Total expenditures by station (net media cost):

Television

Market	Station	Total 2020
Bangor	5704 SPECTRUM, Bangor, ME - Cable	\$11,660.36
Bangor	WABI-TV	\$66,185.25
Bangor	WFVX-TV	\$7,230.95
Bangor	WLBZ-TV	\$42,342.75
Bangor	WVII-TV	\$9,426.50
Portland	0181 SPECTRUM, Portland, ME - OTT	\$47,659.50
Portland	7646 SPECTRUM, Portland Auburn IC	\$47,428.37
Portland	8448 NEW ENGLAND SPORTS NETWORK	\$54,213.00
Portland	NESN-TV	\$13,268.50
Portland	WCSH-TV	\$134,006.75
Portland	WGME-TV	\$70,673.48
Portland	WMTW-TV	\$83,241.15
Portland	WPFO-TV	\$22,397.54
Presque Isle	2477 SPECTRUM, Presque Isle, ME - Cable	\$3,194.31
Presque Isle	WAGM-TV	\$72,900.29
Presque Isle	EAGM-TV	\$1,079.50
Presque Isle	WWPI-TV	\$2,040.00

Radio

Market	Station	Total 2020
Augusta/Waterville	WABK-FM	\$10,489.85
Augusta/Waterville	WCTB-FM	\$5,467.20
Augusta/Waterville	WEBB-FM	\$13,705.40
Augusta/Waterville	WFMX-FM	\$14,275.75
Augusta/Waterville	WMME-FM	\$16,030.15
Augusta/Waterville	WTOS-FM	\$12,629.30
Bangor	WBFB-FM	\$6,362.25
Bangor	WBZN-FM	\$19,457.86
Bangor	WEZQ-FM	\$4,902.80

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Bangor	WHOU-FM	\$9,642.40
Bangor	WKIT-FM	\$18,818.50
Bangor	WKSQ-FM	\$8,708.25
Bangor	WNSX-FM	\$10,779.70
Bangor	WQCB-FM	\$28,831.49
Bangor	WVOM-FM	\$12,172.00
Bangor	WWMJ-FM	\$10,492.40
Calais	WCRQ-FM	\$11,896.60
Calais	WQDY-FM	\$12,136.30
Farmington	WKTJ-FM	\$19,582.30
Portland	WBLM-FM	\$48,603.00
Portland	WBQX-FM	\$12,342.00
Portland	WCLZ-FM	\$8,568.00
Portland	WCYY-FM	\$18,564.00
Portland	WFNK-FM	\$45,143.50
Portland	WHOM-FM	\$21,509.25
Portland	WHTP-FM	\$8,925.00
Portland	WHXR-FM	\$4,692.00
Portland	WJBQ-FM	\$40,914.75
Portland	WJJB-FM	\$21,187.95
Portland	WMGX-FM	\$33,970.25
Portland	WPOR-FM	\$34,136.00
Portland	WTHT-FM	\$34,986.00
Portland	WYNZ-FM	\$21,301.85
Presque Isle	WBPW-FM	\$13,260.00
Presque Isle	WCXU-FM	\$12,172.00
Presque Isle	WOZI-FM	\$11,811.60
Presque Isle	WQHR-FM	\$12,235.00

Digital

Market	Channel/Network	Total 2020
Maine	AdTheorent	\$55,000.00
Maine	Katz Digital Group	\$20,000.00
Maine	Q1 Media	\$12,500.00
Maine	Undertone	\$50,000.00
Maine	WMTW	\$22,500.00

Section 8. 8 M.R.S. §372, sub-§2, ¶K, sub-¶(7): Any recommendations for changes to this chapter.

The Bureau recommends this annual report be submitted using fiscal year data rather than calendar year in keeping with other state accounting practices.

The Bureau recommends Sections 5 and 6 be combined.

Liquor Operations

Section 9. 28-A M.R.S. §84, sub-§7, ¶B, the information required by 28-A M.R.S. §83-B, sub-§11: A complete statement of expenses and revenues collected in accordance with the licensing and enforcement functions of the Bureau including a statement of the revenues collected under chapter 65 for calendar year 2020.

Revenue Sources/Description	Total
0411 - Excise Tax Beer	\$ 11,127,570
0412 - Excise Tax Table Wine ME Products	51,209
0413 - Excise Tax Table Wine Out State	2,879,031
0414 - Excise Tax Sparkling Wines	586,824
0454 - Liquor Premium	2,930,830
0455 - Low Alcohol Spirits Tax	40,879
0460 - FMB Excise Tax	42,853
1101 - Class I	970,970
1102 - Class I P-T	50
1103 - Small Distillery	2,800
1105 - Class A Restaurant/Lounge	487,140
1106 - Bed & Breakfast Liquor License	24,255
1107 - Civic Organizations	2,730
1108 - Agency Liquor. Store Full Time	178,000
1109 - Agency Liquor Store Resale	10,100
1110 - Class I-A	111,900
1111 - Class I-A P-T	2,200
1113 - Small Brewery	7,150
1114 - Brewery	13,100
1115 - Class X	148,000
1116 - Auxiliary License	2,900
1117 - Winery	3,050
1120 - Class II	550
1121 - Dual Liquor License	600
1122 - Minibar License Hotel	200
1124 - Minibar Room Fee Hotel	670
1126 - Wine Direct Shipper License	16,700
1127 - Wine Direct Shipper Registration Fee	8,200
1128 - Direct Shipper Renewal	23,700
1129 - B.Y.O.B Function Permit	1,280
1130 - Bottle Club Registration	650
1131 - Spec Cater Off Prem S & V	4,290

1132 - Class III 1133 - Class III P-T	87,565
1133 - Class III P-T	1 000
	1,000
1138 - Class IV	96,895
1140 - Class V	12,375
1150 - Class VIII	366,450
1152 - Liquor Fees-Golf Carts	3,720
1153 - Wholesaler Table Wine	12,600
1154 - Wholesale Wine Only Spec	1,200
1155 - Class VI	253,580
1158 - Malt Liquor Cert of Approval	120,600
1159 - Wine Cert of Approval	315,903
1161 - Wholesaler Malt Liquor	12,250
1162 - Wholesale Special	4,800
1164 - Cert of Wine 120	11,600
1165 - Class VI-A P-T	2,450
1176 - Class VII	252,820
1181 - Farmer's Market Permit	1,725
1182 - Self Sponsored Event Permit	9,290
1960 - Certification Fee	5,540
2631 - Registration Fees	89,905
2632 - Filing Fees	60,648
2637 – Misc. Services & Fees	3,400
2686 – MiscIncome	1,550
Total Revenue	\$ 21,407,438
xpenses	
Personnel Services	\$ 884,502
All Other Operating Expenses	272,837
Total Expenses	<u>\$ 1,157,339</u>
rofit	
Total Profit	<u>\$ 20,250,099</u>

Section 10. 28-A M.R.S. §84, sub-§7, ¶C, the information required by 28-A M.R.S. §83-C, sub-§7: A complete statement of revenues from and expenses for the sale of spirits by the Bureau for calendar year 2020.

Revenue		Total
	Gross Sales ⁴	\$ 225,661,215
	Total Revenue	\$ 225,661,215
Expenses		
	Cost of Goods Sold	\$ 147,036,452
	Warehousing & Distribution Contract Costs	10,786,219
	Trade Marketing Contract Costs	4,790,369
	Operating Expenses ⁵	2,170,541
	Total Expenses	<u>\$ 164,783,582</u>
Operating Profit		
	Operating Profit	\$ 60,877,633
Adjustments		
	Outstanding Receivables	\$ 1,367,655
	Other Adjustments ⁶	6,732
	Total Adjustments	<u>\$ 1,374,387</u>
Profit		
	Transferred to MMBB	<u>\$ 59,503,246</u>

⁴ Gross sales include agency liquor store payments for products, depletion allowance payments from brokers for price reduction and suppliers' payments for bailment charges.

⁵ Operating expenses include Personal Services, All Other and marketing and advertising expenses.

⁶ Other adjustments include unusual revenues and expenses such as initial 50ml bottle size redemption costs, refunds and bad debt write-offs.

Section 11. 28-A M.R.S. §84, sub-§7, ¶D, the information required by 28-A M.R.S. §83-C, sub-§9: A report on expenditures and investments made by the Bureau, including, but not limited to, reductions in the retail price at which spirits are sold and incentives offered to agency liquor stores. Also included is the impact of those spending initiatives on the number of cases of spirits sold in the State and on sales of spirits generally.

During CY2020, the Bureau participated with spirits suppliers to reduce the retail price of products that are key to the overall success of Maine's Spirits business.

Investments toward price reductions:			
Bureau's investments:	\$	2,836,795	
Suppliers' investments:	\$	7,947,491	
Total investments:	\$	10,784,287	
Bureau's percentage of total investments: 26.2		.30%	
Impact of investments on sales:			
Total increase in case sales from investment	80,175		
Net increase in case sales for all products ⁸ :	100,245		

Impact of investments on gross profit:

The Bureau's investment on price reductions resulted in an increase gross profit to the State of \$ 4,516,235

Other expenditures by the Bureau to support Main	ne's	spirits business
Marketing and advertising expenses9:	\$	1,395,024
Agency Liquor Store incentives ¹⁰ :	\$	3,487,792

Section 12. 28-A M.R.S. §84, sub-§7, any recommendations for changes to this Title:

The Bureau recommends this annual report be submitted using fiscal year data rather than calendar year in keeping with other state accounting practices.

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⁷ The increase in case sales here are only on products when investments were made to reduce prices by both the Bureau and spirits suppliers.

⁸ Net increases include both increases in case sales for products and decreases in case sales for products. This increase is partly impacted by organic growth of a number of spirits products as well as the pandemic.

⁹ Marketing and advertising expenses that include, but may not necessarily have a direct impact on price reduction promotions, are ad agency monthly fee, television production costs, television, radio, social media and newspaper ad run costs, social media (Facebook, Instagram, Pinterest) content development and maintenance, mobile app development and maintenance and special taste testing events.

¹⁰ Agency liquor stores qualified for a sales increase incentive during CY2020 effective on July 1, 2020. Based on the incentive criteria as defined in <u>18 553 C.M.R. ch. 2, §III. sub-§B (2014)</u>, agency liquor stores received a 2.5% increase in both tiers of discount rate, raising tier 1 from 13.5% to 16% and tier 2 from 15.5% to 18%.